

CONDOMINIUM DES NOUVELLES-HEBRIDES
NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 12 de 1948
JOINT REGULATION 12 of 1948

A JOINT REGULATION

No. 12 of
1948.

For the provisional control of aircraft entering and leaving the New Hebrides or operating in the New Hebrides and of person and goods carried by air.

Joint Regulation No. 12 of 1948 was published in Condominium Gazette No. 165 and is reprinted as amended by the following Joint Regulations:

- 2 of 1953 Condominium Gazette No. 180
- 17 of 1961 Condominium Gazette No. 213
- 1 of 1964 Condominium Gazette No. 222
- 38 of 1964 Condominium Gazette No. 225
- 19 of 1966 Condominium Gazette No. 242
- 15 of 1973 Condominium Gazette No. 325

I. PRELIMINARY

Definitions

1. Except where otherwise stated in this Regulation—

“aircraft” includes seaplanes, flying boats and land based planes of a private or commercial character and includes, in respect of the carriage of civilian passengers and freight and of quarantine measures, any other aircraft being a component of the armed forces of any state;

“Overseas aircraft” means any aircraft registered and controlled by an administration outside the New Hebrides;

[“local aircraft” means any aircraft which—

- (a) is registered
 - (i) in France, or
 - (ii) in the United Kingdom or one of the British Territories to which the Civil Aviation (Application of Act) Orders in Council apply; and
- (b) is
 - (i) owned by a resident of the New Hebrides or a corporate body registered in the New Hebrides; and
 - (ii) based in the New Hebrides; and
 - (iii) used exclusively on internal flights within the New Hebrides.]

J.R. No. 1
of 1964.

II. OVERSEAS AIRCRAFT

*Application of existing legislation to aircraft
from overseas*

2. (1) The passengers, freight, mails and crew of any overseas aircraft shall, to the extent that this regulation as implied by the

definition of aircraft may apply to them, be subject, *mutatis mutandis*, to all applicable general or special local Regulations dealing with (i) the entry and departure of persons, (ii) introduction of and export of goods, (iii) quarantine and health measures, (iv) immigrants, (v) passports, visas and travel documents, and (vi) to any other joint legislation which may be applied by [Joint Rules] of the Resident Commissioners.

J.R. No. 17
of 1961.

(2) In this connexion, as may be required, (a) aircraft shall be considered to be vessels and the officers, crew and passengers of aircraft shall be considered to be the officers, crews and passengers of vessels and (b) "landing" or "disembarking" shall be considered to be the act of effectively entering the New Hebrides for purposes of residence or transit.

3. Any Overseas aircraft entering, leaving or operating in the New Hebrides shall comply with applicable provisions of International Aeronautical Conventions and with the terms of the licence issued to it by the terms of the licence issued to it by the Administration concerned.

4. (i) Overseas aircraft shall not enter or operate in the New Hebrides except with the permission of the Resident Commissioners acting jointly and under the conditions specified by them.

(ii) The Resident Commissioners may by [Joint Rules] under this Regulation regulate generally or specially the operations of overseas aircraft in the New Hebrides.

J.R. No. 17
of 1961.

5. The Captain of every private or commercial aircraft entering the New Hebrides shall produce on demand to the inspecting officer, customs officer or health officer, as the case may be—

- (a) the certificate of registration for the aircraft;
- (b) the certificate of airworthiness covering the journey on which the aircraft is engaged;
- (c) the log book;
- (d) a list of the names and nationality of the passengers;
- (e) the manifests or other documents in respect of all freight for the New Hebrides carried (imports or exports);
- (f) the health forms and declarations prescribed by the Joint Administration.

6. (i) The Commandants of Police, their Assistants, and the District Agents at Vila and the District Agents elsewhere, shall be Inspecting Officers for aircraft under this Regulation. They shall have power to enter and inspect any private or commercial overseas aircraft and anyone obstructing them shall be guilty of an offence.

(ii) Health Officers and Customs Officers may exercise similar powers, as the occasion demands.

7. Except in cases of force majeure overseas aircraft shall not land in and depart from the New Hebrides except (i) at airports of entry and clearance; and (ii) after entering shall land only at places, designated, generally or specially, by the Resident Commissioners by [Joint Rules] under this Regulation.

J.R. 17 of 1961.

III. LOCAL AIRCRAFT

8. (i) Local aircraft shall not operate in the New Hebrides except with the permission of the Resident Commissioners acting jointly and on the conditions laid down by them. Such permission may be cancelled by the Resident Commissioners at any moment.

[(ii) The Resident Commissioners may make Joint Rules as to aviation in respect of local aircraft.]

J.R. 38 of 1964.

9. No local aircraft shall leave or re-enter the New Hebrides except under the conditions laid down by the Resident Commissioners and any such aircraft leaving or entering the New Hebrides shall in addition be subject to Articles 2, 6 and 7 hereof.

IV. GENERAL

10. Overseas and local aircraft may be inspected at any time on demand by any inspecting officer or by any technician or other person designated by the Resident Commissioners to that effect and obstruction to such inspection shall be an offence.

[10A. No aircraft shall land in, fly over, or operate in the New Hebrides unless it is an overseas aircraft or local aircraft as defined in Section 1 of this Regulation.]

J.R. 19 of 1966.

[10a. The Resident Commissioners may by [Joint Rules] from time to time prescribe fees to be payable by the owners or operators of aircraft in connection with the operation of such aircraft in the New Hebrides and the method of payment and collection of such fees and other ancillary matters.]

J.R. 17 of 1961.

J.R. 2 of 1953.

11. Any breach of this Regulation or of the terms of any permission or permit granted thereunder shall be an offence punishable by a fine not exceeding [£500 or its equivalent in francs at the current rate of exchange.]

J.R. 19 of 1966.

[11A. (1) The Resident Commissioners may jointly authorise the Superintendent of Civil Aviation to notify—

J.R. 15 of 1973.

(a) Rules of the Air and Air Traffic Control to apply within the New Hebrides;

(b) Specific procedures to be followed by aircraft using the Bauer Field and Pekoa aerodromes and the aerodromes set out in Schedule A to Joint Rules No. 7 of 1964 as from time to time amended.

(2) Any contravention of the Rules of the Air, Air Traffic Control or special procedures for the use of aerodromes notified in accordance with the provisions of subsection (1) shall be an offence punishable on conviction by a fine not exceeding One Hundred Thousand Francs New Hebrides, or its equivalent in Dollars Australian at the official rate of exchange.]

12. This Regulation may be cited as The New Hebrides (Provisional) Aircraft Control Joint Regulation No. 12 of 1948 and shall come into force on the day of the date hereof.

Dated at Vila this 19th day of August, 1948.

A. MENARD
The Resident Commissioner
for the French Republic.

R. D. BLANDY
His Britannic Majesty's
Resident Commissioner.

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